

REMARKS

The allowance of claims 11 – 22 is acknowledged with appreciation. Allowable dependent claims 3, 4, 8, 10, 31 and 35 are being re-written in independent form, and new dependent claims 36 and 37 replace dependencies lost by the amendments to multiply dependent claims 4 and 10, respectively. This group of claims 3, 4, 8, 10, 31 and 35 – 37, as amended, are believed to be in allowable form. Claims 23 – 28, which have been withdrawn from consideration, are being canceled without prejudice to pursuing them in a division or continuation application. Claims 32 – 34 are also being canceled without prejudice.

The Specification is being amended in several places to update the grant and publication status of referenced patent applications.

Reconsideration is respectfully requested of the rejection of claims 1, 2, 5, 6, 7, 9, 29 and 30 under 35 U.S.C. §§ 102(b), 103(a) over Japanese patent application publication no. 10-41414 (“Taji”). Each of the independent claims 1 and 29 of this group recite elements of the memory array to be formed in “a regular non-mirrored pattern” across the array through either the source and drain diffusions and the first and second channel regions (claim 1) or the diffusions, recesses, gates and the storage elements (claim 29) of the memory cells. The Taji reference, on the other hand, shows in each of its embodiments a pattern where these elements are mirrored in such a direction. In the embodiment of Figure 2 of Taji, for example, these elements are mirrored about a vertical line passing through the middle of either of the diffusions 24 or 26 in the direction shown by the cross-section of Figure 2(B). The same mirrored pattern exists in the remaining Taji embodiments of Figures 3, 4 and 5.

The difference between the mirrored pattern of Taji and the non-mirrored pattern of the present application can be visualized by comparing the Taji cross-sectional views of Figures 2(B) – 5(B) with cross-sectional views of embodiments of the present application such as Figures 7A, 15A and 17A. Taking Figure 17A as an example, the diffusions (55, 57), recesses (251, 253), gates (269, 271) and storage elements (42, 43, 44) are repeated with the same non-mirrored pattern across the array in the direction of this cross-section. Segments of the array on opposite sides of the diffusions 55 and 57 are not mirrored in the manner of the segments on opposite sides of the diffusions 24 and 26 of the Taji embodiments. The non-mirrored structure of independent claims 1 and 29 is significantly different than the mirrored structure of Taji. Claims

1 and 29, as well as dependent claims 2, 5, 6, 7, 9 and 30, are thus submitted to be allowable over the cited Taji patent publication.

Information Disclosure Statements

It is not evident from the pages of PTO form 1449 attached to the Office Action that each of the references listed in two Information Disclosure Statements (IDSs), filed January 25, 2002 and April 21, 2003, have been made of record. Only page 2 of the two pages accompanying the IDS filed January 25, 2002 was attached to the Office Action. The single 1449 page of the IDS filed April 21, 2003, was returned with the Office Action but the International Search Report listed under "Other Art" was not initialed. Attention to making each of the cited references of record in the present application prior to its allowance is respectfully requested.

In addition, a third IDS is being filed herewith, primarily to bring to the attention of the examiner references identified in the text of the present application, a few other patents of SanDisk Corporation, assignee of the present application, and exemplary references describing use of charge trapping dielectric storage elements (those mentioned in the "Alternate Storage Elements" section of the present application, pages 22 and 23, and others).

It should also be pointed out that this application is a continuation-in-part of co-pending application serial no. 09/860,704, filed May 18, 2001, which is also currently being examined by examiner Kevin Quinto in Art Unit 2826.

Conclusion

Accordingly, it is believed that this application is now in condition for allowance and an early indication of its allowance is solicited. However, if the Examiner has any further matters that need to be resolved, a telephone call to the undersigned attorney at 415-318-1163 would be appreciated.

Respectfully submitted,



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Date

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